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8 Attorneys for Plaintiff
9 JONATHAN BROWNING, INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 JONATHAN BROWNING, INC., a California
14 corporation,

15 Plaintiff,

16 v.

17 VENETIAN CASINO RESORT, LLC., a Nevada
18 limited liability company; LAS VEGAS SANDS,
19 LLC., a Nevada limited liability company; LAS
20 VEGAS SANDS CORP., a Nevada corporation;
21 and DOES 1 through 100, inclusive,

22 Defendants.

No. C 07-3983 JSW

**EX PARTE REQUEST TO APPEAR
BY PHONE AND [PROPOSED]
ORDER**

Date: June, 13 2008

Time: 9:00 a.m.

Room: 2, 17th Floor

Before: Honorable Jeffrey S. White

[FILED VIA E-FILING]

23 McNamer and Company P.C. recently was substituted in as counsel for Plaintiff in this
24 matter. Mr. McNamer is also counsel for plaintiffs in two other matters now pending before
25 Hon. Jeffrey S. White (*Parker et al v. National Tobacco Company*, Case No. 08-CV-1933 JSW
26 and *Riley et al v. National Tobacco Company*, Case No. 08-CV-1933 JSW).

27 As indicated in the STIPULATION AND PROPOSED ORDER CONTINUING
28 HEARING DATE OF MOTION TO DISMISS recently submitted in the other two matters, and
entered by the Court, Mr. McNamer is not available to travel to San Francisco on June 13, 2008.

1 The Court recently moved the Case Management Conference in this matter to June 13,
2 2008. While counsel for Plaintiff is unavailable to travel to San Francisco for a hearing on June
3 13, 2008, he is available to attend the Case Management Conference by telephone and hereby
4 requests the Court allow such telephonic appearance.

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7 DATED: June 2, 2008

MCNAMER AND COMPANY

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9 By: /Anthony E. McNamer/

10 Anthony E. McNamer
11 Attorneys for Plaintiff
12 JONATHAN BROWNING, INC.

13 **IT IS HEREBY ORDERED**, that due to the unavailability of Plaintiff's counsel to personally
14 attend the Case Management Conference set for June 13, 2008, Plaintiff's counsel may appear
15 telephonically.

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17 DATED: _____, 2008

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19 U.S. DISTRICT COURT JUDGE
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